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SKAGIT COUNTY SUPERIOR COURT FOR THE STATE OF WASHINGTON

ACHHARJIT KAUR and BIRRAMJIT SINGH,
individually and as a marital community,

Plaintiffs,

vs.

PERDUE FOODS, LLC, a foreign limited
liability company,

Defendant.

No. 20-2-00285 29

COMPLAINT FOR DAMAGES

COME NOW the plaintiffs herein, Achharjit Kaur and Birramjit Singh, by and through their undersigned attorneys of record, Myers & Company, P.L.L.C., and for causes of action against the defendant named herein hereby allege and assert as follows:

I. PARTIES

1.1 Plaintiffs Achharjit Kaur and Birramjit Singh are a marital community residing in Mount Vernon, Skagit County, State of Washington.

1.2 Defendant Perdue Foods, LLC is a foreign limited liability company that owns and operates Draper Valley Farms located in Mount Vernon, Skagit County, State of Washington.

COMPLAINT FOR DAMAGES - 1

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COPY

II. JURISDICTION AND VENUE

2.1 The acts and omissions giving rise to this cause of action occurred on premises located in Skagit County, Washington where Defendant conducts business.

2.2 Jurisdiction and venue are properly lodged in the Skagit County Superior Court.

III. FACTS

3.1 On February 5, 2019 Ms. Kaur worked at Defendant's Draper Valley Farms facility. The facility is located at 1000 Jason Lane in Mount Vernon, Washington.

3.2 Ms. Kaur finished her shift. As she was walking across the parking lot to her car she slipped and fell.

3.3 The section of the parking lot where Ms. Kaur fell was covered with ice. The ice made it unreasonably dangerous.

3.4 As a result of the fall, Ms. Kaur suffered personal injuries.

IV. FIRST CAUSE OF ACTION-- NEGLIGENCE

4.1 Plaintiffs realleges all prior allegations as though fully stated herein.

4.2 Ms. Kaur was a business invitee of Defendant.

4.3 Defendant owed Ms. Kaur a duty of reasonable care for her safety on their business premises. This included (a) a duty to use reasonable care to maintain the premises so they were reasonably safe; (b) a duty to warn about dangerous conditions; (c) a duty to inspect for dangerous conditions; and (d) a duty to protect Ms. Kaur against even known or obvious dangers.

4.4 Defendant breached its duty of care to Ms. Kaur by failing to maintain the area where she fell in a reasonably safe condition and to warn Ms. Kaur of the dangerous conditions.

1 4.5 As a direct and proximate result of Defendant's negligence, Ms. Kaur has suffered
2 damages in an amount to be proven at the time of trial.

3 **V. SECOND CAUSE OF ACTION - LOSS OF CONSORTIUM**

4 5.1 Plaintiffs reallege all prior allegations as though fully stated herein.

5 5.2 A spouse has an independent cause of action for support, services, love, affection,
6 care, companionship, society, and consortium.

7 5.3 As a direct and proximate result of Defendant's acts and omissions described
8 herein, causing injuries and damages to Ms. Kaur, Mr. Singh has suffered damages in an amount
9 to be proven at the time of trial.

10 **VI. PRAYER FOR RELIEF**

11 WHEREFORE having fully set forth her claims against Defendant, Plaintiffs pray for
12 relief as follows:

13 A. For monetary judgment against Defendant in an amount sufficient to compensate
14 them for the damages she suffered as a result of the described accidents;

15 B. For prejudgment interest on all liquidated amounts as allowed by law;

16 C. For her reasonable costs and attorneys' fees incurred herein, pursuant to all
17 applicable statutory, common law, and equitable theories; and

18 D. For such other and further relief as the Court deems just and equitable.
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DATED this 4th day of March, 2020.

MYERS & COMPANY, P.L.L.C.

Attorneys for Plaintiffs

By:


Michael David Myers
WSBA No. 22486